

MAR 26 2012

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
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REGINALD MIMMS,	)	Case No. 7:12CV00125
	)	Case Nos. 7:00CR00022; 7:99CR00048
Petitioner,	)	
	)	FINAL ORDER
vs.	)	
	)	
J. GRONDOLSKY, WARDEN,	)	By: James C. Turk
	)	Senior United States District Judge
Respondent.	)	

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

as follows:

1. The petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2241 is **CONSTRUED** as a motion to vacate, set aside or correct the sentence under 28 U.S.C. § 2255;
2. The Clerk is **DIRECTED** to redocket the defendant's pro se submission (ECF No. 1) as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. § 2255 in Case Nos. 7:00CR00022 and 7:99CR00048;
3. The § 2255 motions are hereby **DENIED** without prejudice as successive;
4. The § 2255 motions are stricken from the active docket of the court; and
5. A Certificate of Appealability is **DENIED**.

and this action is stricken from the active docket of the court..

ENTER: This 26<sup>th</sup> day of March, 2012.

*[Signature]*  
\_\_\_\_\_  
Senior-United States District Judge